

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TOM DJONOVIC,

Plaintiff,

No. 23-12889

v.

Honorable Nancy G. Edmunds

CITY OF DETROIT, et al.,

Defendants.

\_\_\_\_\_ /

**OPINION AND ORDER ACCEPTING AND ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [29]**

This is a pro se lawsuit filed by Plaintiff Tom Djonovic against Defendants the City of Detroit and two of its employees, David Bell and Dilip Patel (“City Defendants”), Oakland International Academy (“OIA”), and the Gayanga Company (“Gayanga”). (ECF No. 1.) The case has been referred to Magistrate Judge David R. Grand for all pre-trial matters. (ECF No. 6.) Before the Court is the Magistrate Judge’s report and recommendation (“R&R”) to (1) dismiss Plaintiff’s federal claims with prejudice, and (2) decline to extend supplemental jurisdiction to any related state law claims and dismiss any such claims without prejudice to refile in state court. (ECF No. 29.) Plaintiff filed an objection to that report. (ECF No. 30.) Defendants did not respond to the objection.

**I. Standard of Review**

A party may object to a magistrate judge’s R&R on dispositive motions, and the district judge must resolve proper objections under a *de novo* standard of review. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b)(1)–(3). Additionally, “[t]he district judge

may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3).

Under Rule 72, objections must “(A) specify the part of the order, proposed findings, recommendations, or report to which a person objects” and “(B) state the basis for the objection.” E.D. Mich. LR 72.1(d)(1). “Objections that restate arguments already presented to the magistrate judge are improper, as are those that are vague and dispute the general correctness of the magistrate judge’s order.” *Howard v. Mackrel*, No. 19-11794, 2022 WL 1978750, at \*2 (E.D. Mich. June 6, 2022) (citations omitted).

## **II. Analysis**

Plaintiff’s father owned a building located at 8306 Conant in Detroit that the City found to be a dangerous nuisance. (ECF No. 21, PageID.169.) City Defendants proceeded to demolish it through a contract with Gayanga; demolition was complete in 2019. (ECF No. 21, PageID.89.) OIA allegedly attempted to purchase the building from Plaintiff’s father on several occasions prior to the demolition. (ECF No. 1, PageID.11). Plaintiff alleges the demolition violated his Fourth and Fourteenth Amendment rights under 42 U.S.C. § 1983 and invokes jurisdiction under other federal and state laws based on these alleged violations. (ECF Nos. 28, PageID.198; 29, PageID.201.) In his objection, Plaintiff repeats the same arguments made in opposition to Defendants’ motions. (ECF No. 30.)

The Magistrate Judge recommends that the Court grant OIA’s and the City Defendants’ dispositive motions, and that the Court dismiss all Plaintiff’s federal claims against OIA, the City Defendants, and Gayanga. The R&R further recommends that the

Court decline to extend supplemental jurisdiction over any state law claims Plaintiff asserts, dismissing these claims without prejudice.

Having conducted a *de novo* review of the record, the Court agrees with the Magistrate Judge's thorough analysis of the issues and conclusions.

### **III. Conclusion**

Accordingly, the Court OVERRULES the Plaintiff's objection and ACCEPTS AND ADOPTS the Magistrate Judge's R&R in its entirety. (ECF No. 29.) Accordingly, OIA's and City Defendants' dispositive motions (ECF Nos. 8, 21) are GRANTED, and all federal claims against OIA and the City Defendants are DISMISSED WITH PREJUDICE. Plaintiff's federal claims against Gayanga are also DISMISSED WITH PREJUDICE. Finally, the Court declines to exercise supplemental jurisdiction over any state law claims, and any such claims are DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

s/ Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: August 20, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 20, 2024, by electronic and/or ordinary mail.

s/ Marlena Williams  
Case Manager